

In re Patent Application of

Atty BJS-3929-5  
Dkt.

C# M#

Sikora et al.

Serial No. 10/762,241

Filed: January 23, 2004

Title: THE USE OF CROSS-PROTECTION TO IDENTIFY NOVEL VACCINE  
CANDIDATES FOR INFECTIOUS AGENTS

TC/A.U.

1645

Examiner: Graser

Date: November 6, 2007

**Attached:**

- (1) Response; and
- (2) copy of NOTICE TO FILE  
CORRECTED APPLICATION  
PAPERS and IDENTIFICATION  
OF DRAWING DEFICIENCIES  
dated November 1, 2007

**Mail Stop Issue Fee**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number  
previously paid for 20 (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment 0 minus highest number  
previously paid for 3 (at least 3) = 0 x \$210.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add  
\$370.00 (1203)/\$0.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s)  
One Month Extension \$120.00 (1251)/\$0.00 (2251)  
Two Month Extensions \$460.00 (1252)/\$0.00 (2252)  
Three Month Extensions \$1050.00 (1253)/\$0.00 (2253)  
Four Month Extensions \$1640.00 (1254)/\$0.00 (2254)  
Five Month Extensions \$2,230.00 (1255)/\$1115.00 (2255) \$

Terminal disclaimer enclosed, add \$130.00 (1814)/ \$0.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$ 0.00

Assignment Recording Fee \$40.00 (8021) \$ 0.00

Other: \$ 0.00

**TOTAL FEE \$ 0.00**☐ **CREDIT CARD PAYMENT FORM ATTACHED.**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor  
Arlington, Virginia 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
BJS:

NIXON & VANDERHYE P.C.  
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: /B. J. Sadoff/



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Sikora et al.

Atty. Ref.: 3929-5; Confirmation No. 4510

Appl. No. 10/762,241

TC/A.U. 1645

Filed: January 23, 2004

Examiner: Graser

For: THE USE OF CROSS-PROTECTION TO IDENTIFY NOVEL VACCINE  
CANDIDATES FOR INFECTIOUS AGENTS

\* \* \* \* \*

November 6, 2007

MAIL STOP ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE**

Responsive to the attached IDENTIFICATION OF DRAWING DEFICIENCIES  
and NOTICE TO FILE CORRECTED APPLICATION PAPERS dated November 1,  
2007, the applicants confirm that color drawings are not elected.

Nothing further is believed to be required in response to the attached paper  
however the Office is requested to advise the undersigned if otherwise.

The Issue Fee in the above is being separately submitted herewith.

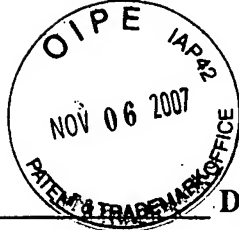
Sikora et al.  
Appl. No. 10/762,241  
November 6, 2007  
RESPONSE

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By:                     /B. J. Sadoff/                      
                    B. J. Sadoff  
                    Reg. No. 36,663

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**COPY**

Application No. 10/762,241

Drawings filed 01/23/04

**IDENTIFICATION OF DRAWING DEFICIENCIES**

- ☐ There is a hole or the image thereof within the illustration. FIG(s) \_\_\_\_\_
- ☐ The character of the lines, numbers and letters is poor. FIG(s) \_\_\_\_\_
- ☐ The illustration is penetrated or traversed by a solid or broken line that is not intended to be part of the drawing, such as a dark line caused by a flaw in the copying process. FIG(s) \_\_\_\_\_
- ☐ An ink stamp or an image obscures part of the illustration. FIG(s) \_\_\_\_\_
- ☐ The drawing is marred by black smudges, obliterations, or fax/copier marks. FIG(s) \_\_\_\_\_
- ☐ Figure numbers are duplicated or missing. FIG(s). \_\_\_\_\_
- ☐ Numbers, letters, or reference characters in the drawing have been crossed out by hand or are illegibly handwritten. FIG(s) \_\_\_\_\_
- ☐ The drawing's background shows that the original drawing was made on graph paper or other paper with a pattern or decoration. FIG(s) \_\_\_\_\_
- ☐ The FIG. number label is placed in a location that causes the drawing to be read upside down. FIG(s) \_\_\_\_\_
- ☐ Data, a reference number, or part of the drawing is truncated or missing. FIG(s) \_\_\_\_\_
- ☐ The drawing is continued onto a second page (or more) without proper labeling under 37 CFR 1.84(u)(1). FIG(s) \_\_\_\_\_
- ☐ The drawing and/or the FIG. label contain(s) foreign language. FIG(s) \_\_\_\_\_
- ☒ Color drawings are present in this application but the following 37 CFR 1.84(a) requirements have not been met\*:
  - ☒ Petition filed
  - ☒ Petition fee
  - ☒ 3 sets of color drawings
  - ☒ Color drawing paragraph

\*If color drawings are not elected, then applicant **must respond** so stating. Also, references to color drawings in the specification, if any, must be amended.381.

COMMENTS:



**COPY**

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

Serial No. : 10/762241  
Applicant: Sikora  
Filing Date : 01/23/04  
Date Mailed : 11/01/07

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

### *Notice of Allowance Mailed*

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 2 months from the mail date of this Notice within which to correct the informalities indicated below. If the informality pertains to the abstract, specification (including claims) or drawings, the informality must be corrected with an amendment in compliance with 37 CFR 1.121 (or, if the application is a reissue application, 37 CFR 1.173). Such an amendment may be filed after payment of the issue fee if limited to correction of informalities noted herein. See Waiver of 37 CFR 1.312 for Documents Required by the Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004). In addition, if the informality is not corrected until after payment of the issue fee, for purposes of 35 U.S.C. 154(b)(1)(iv), "all outstanding requirements" will be considered to have been satisfied when the informality has been corrected. A failure to reply will result in the application being ABANDONED. **This period for reply is NOT extendable under 37 CFR 1.136(a).**

See attachment.

*A copy of this notice **MUST** be returned with the reply. Please address response to  
"Mail Stop Issue Fee, Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450".*

**L. Fletcher** \_\_\_\_\_  
Your name  
Office of Patent Publication  
Phone: 703-308-9250, ext. 143